

RE: JOHN W BURKE JR
PATRICIA A LEAF BURKE

) Case No. 19 B 22837
)
Debtors) Chapter 13
)
) Judge: JACK B SCHMETTERER

NOTICE OF MOTION

JOHN W BURKE JR
PATRICIA A LEAF BURKE
2177 QUEENSBURG LANE
PALATINE, IL 60074

CUTLER & ASSOC
via Clerk's ECF noticing procedures

Please take notice that on November 06, 2019 at 11:00 am my designee or I will appear before the Honorable Judge JACK B SCHMETTERER at 219 South Dearborn Courtroom 682, Chicago, IL and present the motion set forth below.

I certify under penalty of perjury that this office caused a copy of this notice to be delivered to the persons named above by U.S. mail at 55 E Monroe St., Chicago, IL 60603 or by the methods indicated on October 03, 2019.

/s/ Tom Vaughn

TRUSTEE'S MOTION TO DISMISS FOR UNREASONABLE DELAY

Now comes Tom Vaughn, Trustee in the above entitled case and moves the Court to dismiss this case in support thereof states:

1. On August 13, 2019 the Debtors filed a petition and plan under Chapter 13 of Title 11 U.S.C.
2. That the above-captioned plan has not yet been confirmed.
3. That the Debtors has caused unreasonable delay that is prejudicial to creditors by failing to:

Amend Plan as follows: Provide for surrender of property to St. Johan Alpenland in Part 3.5 instead of 3.2 and provide for the claims listed in 3.3 to instead be listed in 3.1 and add 5.25% interest to unsecured creditors due to equity in real estate and amend Schedule A to list property in Texas and Schedule D to provide address for Heritage Manor.

WHEREFORE, the Trustee prays that this case be dismissed for unreasonable delay by the debtor pursuant to 11 U.S.C. § 1307 (c) (1).

Respectfully submitted,
/s/ Tom Vaughn

TOM VAUGHN
CHAPTER 13 TRUSTEE
55 E. Monroe Street, Suite 3850
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(312) 294-5900